



**IN THE
TENTH COURT OF APPEALS**

No. 10-16-00239-CV

IN THE INTEREST OF C.K.E. AND C.L.E., JR., CHILDREN

**From the 272nd District Court
Brazos County, Texas
Trial Court No. 09-002113-CV-272**

MEMORANDUM OPINION

Christian La'Marque Ellis, Sr. appeals from a child custody and support order issued on July 17, 2016. By letter dated August 16, 2016, the Clerk of this Court notified Ellis that his original filing fee for the appeal was past due. Ellis was warned in the same letter that failure to pay the filing fee within 10 days from the date of the letter would result in the appeal being dismissed. *See* TEX. R. APP. P. 42.3(c). More than 10 days have passed, and Ellis has failed to pay his original filing fee.

Accordingly, this appeal is dismissed. *Id.*

Absent a specific exemption, the Clerk of the Court must collect filing fees at the time a document is presented for filing. TEX. R. APP. P. 12.1(b); Appendix to TEX. R. APP.

P., Order Regarding Fees (Amended Aug. 28, 2007, eff. Sept. 1, 2007). *See also* TEX. R. APP. P. 5; 10TH TEX. APP. (Waco) LOC. R. 5; TEX. GOV'T CODE ANN. §§ 51.207(b); 51.208; § 51.941(a) (West 2013). Under these circumstances, we suspend the rule and order the Clerk to write off all unpaid filing fees in this case. TEX. R. APP. P. 2. The write-off of the fees from the accounts receivable of the Court in no way eliminates or reduces the fees owed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed September 7, 2016
[CV06]

